

Corporate Watch

Newsletter 15 : Sept/Oct 2003 : £1

www.corporatewatch.org.uk

'ONCE UPON A TIME IN MEXICO'

Lucy Michaels

The World Trade Organisation (WTO) talks failed in the holiday resort of Cancun, Mexico last week, and I cannot but highlight what a significant development this is. This isn't just Lefty over-excitement at the failure of some corporate-sponsored international meeting. The ideological project of corporate globalisation through the WTO and 'free trade' is now in trouble, although where we go from here and who will benefit is still uncertain.



The talks collapsed when the Kenyan representative, George Odour Ongwen, who was speaking for an unprecedented alliance of Southern countries, walked out of a 'Green Room' meeting,¹ furious that the EU negotiator, Pascal Lamy, would not back down on proposals for the inclusion of 'new issues' in the WTO. When the walk-out was announced, he was swiftly joined by South Korea and India. These bold acts of defiance by Southern countries were greeted with spontaneous celebrations by NGO's, grassroots groups and, interestingly, some of the world's press gathered in Cancun. While some were surprised at this outcome, others had already predicted that Cancun would be another Seattle.

Over the last six months, those following the WTO process sensed the failure in the air. As each country's negotiating positions became clear, a North/South divide emerged illustrating fundamental differences in all areas of the talks. Although the US and European Union (EU) have had their own battles, with a trade war developing over the EU's de facto

moratorium on commercialisation for GM crops, the US and EU amazingly found agreement in two key areas: in agriculture and on demands to expand the global liberalisation project to so-called 'new issues'. This includes the trade in services (GATS), the liberalisation of competition and investment (an MAI-style agreement which would allow a free rein for multinational corporations to operate entirely as they wish anywhere in the world), trade facilitation and the liberalisation of government procurement.

In both agriculture and 'new issues', Southern coalitions developed to oppose the US and EU positions. At the fourth WTO ministerial meeting in Doha, Qatar in November 2001, India stood alone in opposing the inclusion of 'new issues' in the negotiations. By Cancun, nearly 100 of the WTO member nations stood opposed to 'new issues' claiming that the US and EU's adherence to these issues illustrated that they were not committed to development for the global South or even to the so-called 'development agenda' agreed in Doha.

In agriculture, Brazil and India, who in the past were more used to quibbling over subsidies and tariffs, drew up a comprehensive agricultural policy in almost total opposition to what the EU and US were demanding. China and other 'developing' countries joined this bloc that became the G21 group (as more countries joined it became the G20+ group).

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Corporate Watch

READERS' SURVEY

Corporate Watch would like to thank everyone for taking the time to reply to the survey. The answers were invariably thoughtful, individual, intelligent and inspiring. We will be following up your story ideas, adding more recommendations for action, and increasing the coverage both of positive alternatives to corporations, and of examples of protestors and campaigners succeeding. Any contributions, on these or other issues, should be sent to the Editor, and will be appreciatively received.

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Disclaimer: The objectivity of the media is generally an illusion. Corporate Watch freely acknowledges that it comes from an anti-corporate perspective. It attempts at all times to be factual, accurate, honest and truthful in its reporting. Any comments or corrections should be sent to the Editor, 16b Cherwell St, Oxford OX4 1BG.

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Corporate Watch also works as an independent research unit, conducting research for campaigners, linking corporate activity to wider global issues.

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Diary

OCTOBER

10-17 'This Is Camp X-Ray' art installation consisting of a fully operational, life-size replica of the U.S internment camp at Guantanamo Bay, Manchester city centre www.uhc-collective.org.uk

11 No New Oil - oil, war and climate change: Dismantling the oil economy. London School of Economics, Clement House, D Building, Aldwych, London. Nearest tubes: Holborn, Temple. 10.30 am-6pm To book spaces 01865 241 097 info@risingtide.org.uk

11 National March and Rally in Cambridge to oppose a proposed primate lab Stop Primate Experiments At Cambridge 07957 588 253

13 Tractors and Trolleys Against GM Push a trolley, drive a tractor or just come along and celebrate a GM free harvest 0808 800 111 info@foe.co.uk

16 Worldwide Day of Action against McDonalds 0845 458 9595 www.mcspotlight.org

16 Fela Kuti Tribute to raise awareness of the plight of Africa@ The Fridge, Brixton, London. Tickets £10 020 8968 0113 fela@panafricaneye.com
www.panafricaneye.com

18 Media Democracy Day
www.mediademocracyday.org/index.htm

19-26 One World Week 0118 939 4933 enquiries@oneworldweek.org
www.oneworldweek.org

20-25 Temporary Autonomous Art Space: All contributions welcome, please get in touch asap! Artists submissions: 07092 012299 Venue info closer to the time: 07050 614804 info@randomartists.org www.randomartists.org

25 Anarchist Bookfair, ULU Malet Street, London, WC1 mail@anarchistbookfair.org
www.anarchistbookfair.org

27 Stop the Corporate Invasion of Iraq. Protest outside the Conference 'Reconstructing Iraq' (admission £1099) to demand that Iraq's people be allowed to determine their own economic future. 1 Whitehall Place (near Embankment tube) 8.30am onwards 0207 837 0561 voices@voicesuk.org www.voicesuk.org

31-2 Nov Mad Pride weekend @ The Sanctuary Café, Hove www.madpride.org.uk

NOVEMBER

1 November - Pyramid of Shoes in Parliament Square to highlight landmine victims and mark the start of Landmine Action Week.

3-9 Landmine action week. For an action pack contact 020 7820 0222 info@landmineaction.org

19/20/21 E NEW KING OF BABYLON (according to the Jesus Christians). **GEORGE W BUSH VISITS THE UK** For flags, bunting, patriotic songs of welcome, prayers for continued success in genocide etc see www.stopwar.org www.indymedia.or.uk

22 Beyond TV, 4th annual video activist festival, Swansea Environment centre, Pier Street, Swansea. Contact helen@videonetwork.org or 01792 455900 www.undercurrents.org/beyondtv/index.htm

29 Buy Nothing Day <http://buynothingday.co.uk> www.mydadsstripclub.com/bnd02.htm

29 Campsfield: 10 Years Too Long! Tenth anniversary demonstration at Campsfield Detention Centre, Langford Lane, Kidlington, Oxfordshire with guest speakers and music. Bring drums, whistles, etc to make sure the detainees hear us! 01865 558145 or 01993 703394 info@closecampsfield.org.uk
www.closecampsfield.org.uk

UPDATE - KASKY MYSTERIOUSLY CRUMBLES, NIKE ESCAPES

Rebecca Spencer

US activist Marc Kasky's lawsuit challenging Nike's lies about sweatshop labour is over (see Newsletter 14, 'No hearing for Nike').

On September 12th the company announced that it had reached a settlement with Kasky in which it would pay \$1.5m to the Fair Labor Association.

At the time of the settlement the California Supreme Court had ruled that Nike's PR efforts should be classed as 'commercial speech' and fall under the laws governing advertising, rather than being eligible for 'free speech' protection, as Nike had argued. A decision in Nike's favour would have effectively meant a 'right to lie' for the company. Nike appealed this decision to the federal Supreme Court. In June this year, the US Supreme Court refused to rule on the appeal, saying the merits of the case – had Nike actually lied? – must be decided in California. Kasky and his lawyers were awaiting 'discovery' by Nike – disclosure of all relevant documents, evidence which other labour rights activists were also very much looking forward to seeing.

So why did Kasky settle? The question is causing confusion and outrage across anti-corporate America. For a start, Nike has a seat on

the board of the Fair Labor Association, and clothing companies hold a veto over the FLA's activities. The phrase 'front group' springs to mind. Yet a joint press release issued by Kasky and Nike says that 'Mr. Kasky is satisfied that this settlement reflects Nike's commitment to positive change where factory workers are concerned.' At the time of writing, Kasky and his lawyers remain unavailable for comment.

It is interesting to note that in the light of the UK's own Human Rights Act – some of which applies to corporations, even though they are obviously not human – a similar case could arise here. There is little case law as yet on the right to freedom of expression in advertising, but lawyers writing on the subject have noted that theoretically there is nothing stopping corporations from claiming a 'right to lie'.

www.reclaimdemocracy.org
www.corporatepredators.org
www.odwyerpr.com

GREEN GLOVES CAN FREE UK

A pledge to pull up GM crops was launched as the results of the Government's public debate on genetic modification were announced in London last week. The Green Gloves Pledge, a pledge to peacefully remove GM crops or support those who do, was formally announced with the delivery of a six and half foot green glove to Tony Blair at the gates of Downing Street bearing the question "Which part of No GM do you not understand?". An accompanying letter to the Prime Minister was also handed in.

Delivering the glove, Kathryn Tulip, one of the organisers of Green Gloves pledge, said: 'Once again Tony Blair looks set to ignore the overwhelming sentiment of the British people who do not want GM. The British people have clearly said no to GM again and again. Now we are underlining our resolve with a promise of action – either this government agrees to deliver a GM-free Britain or a nation of gardeners will put on their gloves and take that decision into their own hands. We are here to let him know that for every GM plant he allows to be planted there will be many pairs of hands willing to pull them up again.'

The launch of the Green Gloves pledge to pull up GM crops comes as new leaked letters from Margaret Beckett suggest the Government is still intending to press ahead with GM crop commercialisation despite the clear public sentiment against GM expressed in the Public Debate. The government's own advisors recently warned in an economic review of GM crops that there were no near term benefits for the UK economy and that any decision to press ahead with GM could result in widespread civil unrest. Tony Blair's decision to hire Monsanto spin doctor David Hill further suggests that the PM is once again going to ignore public opinion in what former environment Minister Michael Meacher has called Blair's 'Iraq mark II'.

Many hundreds of people have signed the pledge including farmers, scientists, clergy and politicians. The names of those pledging are currently being kept confidential but the number signing will regularly be made public, starting on October 16th when the results of the Farm Scale Evaluations of GM crops is announced. A similar 'green gloves pledge' launched in New Zealand to stave off the lifting of the GM moratorium there, gathered over 3000 names in 12 weeks of people willing to pull up GM crops. The UK organisers also expect thousands to sign the pledge in the UK, increasing pressure on the government as it enters the run up to the next election.

e-mail: pledge@greengloves.org
Homepage: www.greengloves.org

UPDATE – GM and GM FREE FIGHTERS

As Brazil gave in to "pressure" (bribery, threats) to grow GM crops, here in the UK. Bayer CropScience has announced its decision not to grow trial GM crops this year. Apparently, activists pulling up test trials are to blame, along with DEFRA's (current) refusal to make test sites secret. 'We're not saying that we won't start commercial trials (in the UK) again' said a Bayer spokesman. 'We'll most likely restart them in a different climate'. Campaigners believe that Bayer may be stalling until MS8/RF3 oil seed rape gets an EU Part C consent, meaning that field trial locations no longer have to be notified. However, they say that the delay of a year might well be significant.



'Once upon a time in Mexico'

Lucy Michaels cont.



The G20+ group is demanding sweeping cuts in US and EU domestic support to farmers, as well as the elimination of export subsidies. These are both factors that keep the price of imported grain into developing countries artificially low (known as dumping). As they see it, these practices, (whilst keeping Northern farmers in business and healthily lining the pockets of multinational agribusiness especially the big grain traders) destroy the livelihood of Southern farmers as well as destroying their potential to develop internal markets. In a previous round of trade negotiations in 1994, the EU and US agreed to cut their subsidies and create a level playing field. However, instead they have increased subsidies. The US farm bill in 2002 increased subsidies by \$82 billion. The G20+ group is also demanding greater market access for Southern countries to the 'protected' markets of the EU and US. The EU attempted to link the 'new issues' negotiations to the agriculture negotiations even though the Doha Declaration delinked these two areas. It seems that the EU attempted to offer concessions in agriculture on the basis that the 'new issues' agenda would be adopted. The Southern countries, however, would not be duped into this.

The talks essentially failed because the EU and US approached these negotiations with their usual tactics - to bribe, bully and break legs. This time, however, as with the celebrated victory in Seattle in 1999, Southern countries said *Enough!* supported by NGOs and lively and determined protests on the streets. Resentment amongst the Southern countries had been building all week, not just with the disagreement over the content of the talks, but also over frustration with the process. The WTO is supposedly a consensus-based organisation, however, the WTO leadership and secretariat essentially ignored the G20+ proposals on agriculture when they offered a second draft final declaration.



The corporate lobbying presence at the WTO

A year ago the incoming director-general of the WTO, Dr Supachai Panitchpakdi shocked international governments and businesses by saying that he wanted tough new rules to clamp down on lobbying by multinational companies trying to influence the WTO. Panitchpakdi at the time noted that his ethical ideal was 'something that I'm not getting support for from countries around the world, particularly some advanced countries.' (!) This year at Cancun, it was business as usual, however, with over 250 corporate lobby groups accredited to take part. The British corporate lobby was represented by the CBI, which itself represents over 200,000 UK companies and at least 80 FTSE 100 organisations. Whilst it keeps its actual membership list secret, it is reputed to include Shell and Monsanto. In PR week, the CBI was keen to address accusations of third world exploitation by its members, promoting itself as a champion of fair trade. CBI director of international competitiveness Andy Scott states, *'We aim to convince that fair trade means a win-win situation for all. We aim to give a balanced view of the arguments to WTO members. The business voice has to be heard if we are to convince the WTO and all concerned that business is needed to help poor countries develop. There is good and bad profit, and business is the best way for poorer countries to develop.'*

The Cancun ministerial took place in the shadow of the martyrdom of a Korean farmer, Lee Kyung-Hae, who took his own life at the barricades during the farmers' protest on 10th September. Lee was the former president of the Korean Advanced Farmer's Federation and identified the unfair WTO rules with the crisis faced by him and small farmers worldwide. His death made visible the farming crisis which has caused the unreported suicides of thousands of farmers worldwide from the UK to India. Mr Lee's death illustrates the deep

despair and disempowerment felt by many at the policies of the WTO, and was a powerful and shocking act of defiance which must have steeled the resolve of Southern countries in the face of bullying by the EU and US. As US campaigner, Starhawk, said in tribute to Lee, his act *'really made it very vivid and very real for all of us. This isn't just an abstract battle, it's truly about human lives'*.

But this act should not overshadow the inspirational and life affirming actions which took place both in Cancun and around the world, to protest against the fundamentally undemocratic nature of the WTO and the unjust nature of the current 'free trade' regime: "current 'free trade' regime, including the arms trade (see DSEi report). Peter Rosset, co-director of Food First, a US based NGO, stated that the protests that took place on the Saturday in Cancun were *'so powerful that we were all sure we had reached and passed through the turning point vis-a-vis the WTO'*. Actions occurred all week with activists managing to out-fox around 10,000 federal and municipal police,

private security guards and undercover cops to do actions and blockades well inside the 9 km security zone around the WTO.

Starhawk, in a radio interview for Greenpeace, explained that although the numbers were not huge due to the inaccessibility of Cancun (6000 on the biggest day), *'to see campesinos, Mexican students, all these people from different places, cultures and organising styles, working together to learn how other groups and cultures organise and to be able to be part of that (is) a great privilege.'* She talked about the protests not just contesting power but also, in true Zapatista style, articulating a vision and reclaiming a space for it. Both symbolic space, such as the place where the fence had come down and where Lee had died (which had become a public gathering plaza instead of a traffic circle) and practical alternative space, such as the eco-village which became a showcase for permaculture with rainwater catchment and a simple water pump - a grey water system that purifies the water from handwashing and shower systems. Another inspirational event in Cancun was the first ever 'Fair Trade' Fair, bringing together around a hundred small fair trade producers from around the world.

Where does this leave us now?

The WTO, as a forum for determining trade rules and settling trade disputes, was set up in 1995 by powerful countries who have used it to make sure that their economic and political interests are maintained under the guise of 'free trade'. At Cancun, in an inspirational show of solidarity, the weaker countries of the world refused to be bullied. It remains to be seen how this coalition of countries will go on to use their new found empowerment.

Many commentators are now referring to the WTO in the past tense. However, whereas a few years ago we would all have been celebrating unreservedly its imminent demise, the world we are living in is rapidly changing and becoming more unstable. Unlike previous administrations, the Bush administration makes no pretence about its aspirations for empire. Though civil society and Southern countries have successfully routed US and EU ambitions in Cancun, US trade representative Robert Zoellick had already threatened that, should the US not get what it wanted at the WTO, it would concentrate on bilateral and regional agreements like the Free Trade Area of the Americas (FTAA). The need for a new global trade forum, not intrinsically undemocratic like the WTO, to negotiate fairer trade rules and to challenge US hegemony has never been more urgent.

With thanks to Luke Anderson for first hand accounts of the protests.

An IMC video about Cancun is also available - www.indymedia.org.uk

1. one of the small 'informal' meetings where the real decisions of the ministerial are made.

Further reading/listening

1. "Success or failure at the WTO?"

talk by Mark Ritchie, President of the Institute of Agriculture and Trade Policy (IATP) 16th September 2003. See www.iatp.org or http://208.155.173.254/ramgen/radiocancun/2003-09-16_mritchie-cancun-wrapup.rm

2. Starhawk's Cancun journals

www.starhawk.org/activism/activism-writings/cancun_journals.html

Interview with Starhawk <http://cancun.mediosindependientes.org/newswire/display/679/index.php>

3. World Development Movement have some good articles and campaigns on their Cancun pages www.wdm.org.uk/campaign/cancun03/ Read WDM journals, especially article by Claire Joy about the impacts of trade liberalisation on Cancun itself. www.wdm.org.uk/campaign/cancun03/cancundiary2



4. 'Business rules: Who pays the price?'

How corporate influence in the WTO impacts on people and the environment. Friends of the Earth International and Corporate Europe Observatory. August 2003.

5. 'A threat to the rich: Forcing the poor countries to walk out of the Cancun trade talks may rebound on the West'.

by George Monbiot. 16th September 2003. The Guardian

6. The WTO Derailed at 'Second Seattle'

In Cancun by Peter Rosset. 14th September 2003 www.foodfirst.org

7. 'CBI tries to address 'exploiter' image' Analysis PR Week 19 September 2003



All pictures courtesy of IndyMedia

NEWS

****ACTION!****

WATER DISASTER

People who don't want fluoridation can 'purchase water filters or buy bottled drinking water'.

Hazel Blears, Health Minister

On 8th September, Parliament returned to debate amendments to the new Water Act, including one which had been sneaked into the schedule at the last minute in the previous hearing in the House of Lords. Known as Clause 61, this amendment will make it compulsory for water companies to fluoridate public water drinking supplies when regional health authorities tell them to. In the past, courts in England and Scotland have been able to uphold the right of water companies to refuse to fluoridate their product.

Why the UK government would now want to enforce compulsory fluoridation is something of a mystery. Switzerland has halted fluoridation after 41 years of the practice. Liverpool, Bradford, Brighton, Lancaster and Calderdale Councils have reaffirmed their opposition to fluoridation in the UK. The standard reason given for fluoridation is that fluoride improves dental health. But no surveys have ever decisively proved this, whereas dental fluorosis (severe discolouration and rotting of teeth) affects around half of all people in a fluoridated area, a UK study recently found. Baroness Hayman, for the government, conceded that dental fluorosis is a 'manifestation of fluoride toxicity' ie: a symptom of the poisoning of the whole body.

Fluorosilicates (the chemicals used in fluoridation) are actually classed as Part II Poisons, alongside arsenic, mercury and Paraquat. The fluorosilicates used in water fluoridation are by-products of the toxic waste produced by the phosphate fertiliser industry. Fluoride itself can displace iodine in the body, causing hypothyroidism, and also displace calcium, resulting in skeletal fluorosis.

Perhaps one of the reasons the government would want to press ahead is the fact that areas of the Midlands and the North East have been fluoridated for decades - with concomitant problems. Any acknowledgement of the detrimental effects of fluoridation could see a slew of legal actions on behalf of those affected. Water companies are now demanding civil and criminal indemnity if they are compelled to fluoridate.

As usual, the public are not fooled. Campaigners point to numerous surveys in which over 90 per cent of people questioned were against compulsory fluoridation. But the effect of the amendment would be to empower the government to impose medical treatment upon the entire population of the country, regardless of individual need or consent. 'Such activities were universally abhorred when

they emerged during the pre-war era of National Socialism in Germany' points out environmental analyst Douglas Cross, in an open letter to the Chief Medical Officer.

The amendment is now due to go in front of a standing committee on 21st October.

The National Pure Water Association (NPWA) are writing to every member of the committee informing them that if they recommend going ahead with fluoridation, they will be individually vulnerable to prosecution under the 1861 Offences Against Persons Act. The charge would be 'malicious intent to poison', which carries a ten year prison sentence.

The NPWA need funds and support to help them if the case does have to go to law, and to follow it through to the European Court of Human Rights, if necessary. 'We don't need huge amounts - if people just send a pound to protect their water, that's fine' says the NPWA's Jane Jones. She also recommends that people contact their MP's and press them to look at the evidence on fluoridation. Concerned citizens could also contact their water companies and tell them how strongly they feel about the issue. Although this is not something recommended by the NPWA, others suggest that telling the water companies just where they can put their bills if they supply a potentially poisoned product might be effective too.

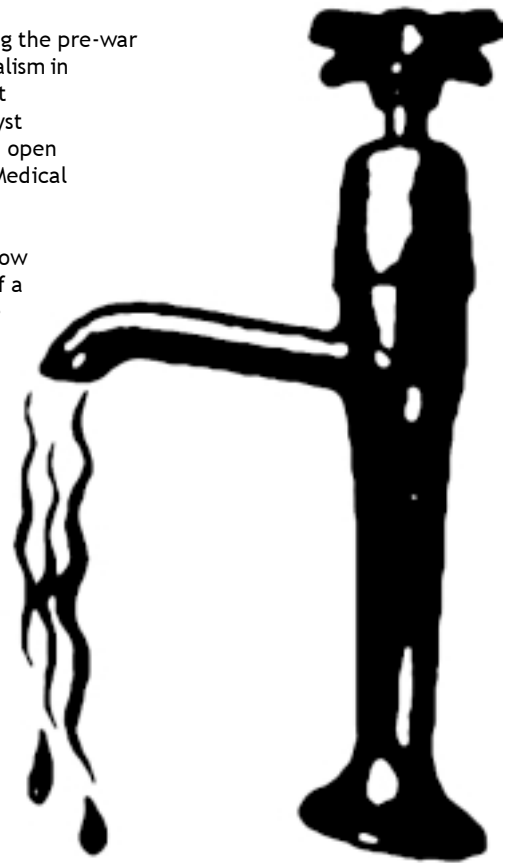
CONTACTS

National Pure Water Association Campaign Against Fluoridation

12 Dennington Lane, Crigglestone, Wakefield WF4 3ET
Cheques should be sent to the above address, payable to the NPWA, and marked with 'legal fund'
www.npwa.freemove.co.uk

Communities Against Toxics

PO Box 29, Ellesmere Port
Cheshire CH66 3TX
0151 339 5473
www.communities-against-toxics.org.uk



REIGNING IN THE MULTI-NATIONALS

After so many years of doing what it likes, international business could finally find itself accountable for its part in human rights abuses. August 13th this year saw the United Nations sub-committee on the Promotion and Protection of Human Rights unanimously adopt the 'Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights.' The Norms bring together a range of obligations drawn from existing international human rights, labour and environmental standards. Unlike existing international initiatives supposedly promoting corporate social responsibility, the Norms will be compulsory and enforceable.

The Norms are not currently binding. For that to happen the resolution has to be ratified by the 53-nation UN Human Rights Commission. Unfortunately, lobby groups such as the International Chamber of Commerce, of which most large corporations are a member, and influential US groups, the International Business Council and the National Foreign Trade Council, have until March next year to wield their significant influence.

The ICC have already expressed their opposition which, given their close ties to the UN could prove fatal. As early as February 1998 a delegation of 25 corporate executives met with Kofi Annan and other senior UN officials and issued a joint statement promising closer collaboration. According to the ICC, 'the two groups resolved to form a close global partnership to secure greater input from ICC member companies into the UN's economic decision-making.'

No New Oil



Oil, war and climate change: Dismantling the oil economy.

On Saturday October 11th this Rising Tide gathering “draws the connections between the oil industry, climate change, human rights abuses, and the Iraq war. The format will combine workshops, slides, specially commissioned video and presentations by speakers from the UK, US, Nigeria and Colombia.” The gathering takes place at London School of Economics, Clement House, D Building, Aldwych, London. Nearest tubes: Holborn, Temple. 10.30 am-6pm To book spaces call 01865 241 097 info@risingtide.org.uk

UK DEMOCRACY – GOVERNMENT RIGS VOTE OVER FOOD SUPPLEMENTS

“So there seems to be a noose tightening around the collective necks of the health food industry from European regulatory action...”

Josef Hasslberger - “European Food Supplements - An Industry Perspective” March 2002

“I was a member of this Committee until I said, very honestly, that I would vote against the regulations...other hon. Members have been taken off the Committee and some government members have been put on it at short notice. I strongly believe that the food supplements directive is unacceptable. If it is about safety, the vitamins should not be available today...They should already have been taken off the shelf”.

Kate Hoey MP (Lab, Vauxhall)
Speech to Standing Committee July 2003

“It is a very slowly tightening noose, but it is tightening nevertheless and it appears to be inspired by - this is a suspicion not backed by hard evidence - the pharmaceutical producers.”

Josef Hasslberger - “European Food Supplements - An Industry Perspective” March 2002

“The regulations send out the message that, once again, the elite in Brussels, backed up, I am afraid, by the connivance of the Government, are running our country. The message will go out to millions of ordinary people that the Government care more about the pharmaceutical industry than they do about ordinary people’s opportunities and rights”

Kate Hoey MP (Lab, Vauxhall)
Speech to Standing Committee July 2003

Recently, and despite opposition from other MP’s and the House of Lords, the regulations contained in the European Food Supplements directive were approved by a government-appointed committee of 14 MP’s. There had been no parliamentary debate, or public consultation. As a result, three hundred nutrients and 5000 products will be banned from the shelves of UK health food stores by 1st August 2005.

NEW HOPE FROM AN OLD LAW

Next month sees the US 9th Circuit Court file its second ruling on the suit brought against Unocal for human rights abuses in Burma. Unocal, one of the world’s largest oil and gas companies, is accused of aiding and abetting the Burmese military in forcing entire communities from their homes, using slave labour and committing rape, torture and murder.

Naturally, Unocal reps deny the charges. ‘The charges are not against Unocal, they’re against the Burmese government and the Burmese military,’ says spokesperson Barry Lane. Unocal is unfairly caught up in the suit, he adds, simply because the company had a contract with the government.

A little-known, 200-year-old U.S. law - never before used to sue a multinational corporation - has become the basis for suing Unocal over its alleged links to rights abuses committed during the construction of a \$1 billion gas pipeline. Since the Unocal case was filed in 1996, more than two dozen suits have been brought against multinational corporations using the same U.S. law, called the Alien Tort Claims Act (ATCA).

The 1789 Act grants U.S. Courts jurisdiction in any dispute where it is alleged that the “law of nations”, or international laws, are broken. This is significant because it gives foreigners the right to seek compensation for violations of international law in U.S. Courts. In 1980 a Paraguayan man successfully used ATCA to sue the policeman who had tortured his son to death in Paraguay.

If the court’s second decision echoes the first, which found sufficient evidence for Unocal to stand trial, the case will move forward and set a precedent that could see scores of corporations defending their human-rights records before federal judges.

Del Monte Foods, Exxon Mobil and Coca-Cola are among corporations facing litigation.

“It’s only a matter of time before some company becomes the Enron of human-rights abuse,” says Elliot Schrage, adjunct senior fellow at the Council on Foreign Relations and former senior vice-president for global affairs at the Gap.

“The ATCA cases are the first wave in a tide of lawsuits that will seek to hold multinational corporations accountable for their global operations.”

In one particularly brutal instance, a farmer’s wife has charged that Burmese soldiers hired by Unocal entered her home, kicked her down the stairs, knocked her unconscious and shoved her and an infant daughter into a burning fireplace. The little girl later died from infected head wounds, after the soldiers refused the family access to medical care.

EXCUSE ME, BUT ARE YOU GOING TO THE ARMS FAIR?

Arms dealers are people too. Corporate Watch faces up to them...

It's a damp grey Wednesday morning in Canning Town. We're on the dual carriageway between Canning Town and the Excel centre, where the DSEi arms fair opened the day before. Rumour has it that due to 'passenger' action on the Docklands Light Railway (i.e. people taking direct action to prevent arms dealers arriving at Excel), many of the delegates are disembarking at Canning Town station and continuing their journey on foot or by public buses to the arms fair. What an amazing opportunity,

we think, to have a chat with the businessmen (and it is mainly men) who make their money out of war.

It's easy to spot the delegates as they walk through the Newham council estates on their brief journey. It's the well-tailored suits and suitbags slung casually over one shoulder, and the compact travel suitcases wheeled behind. It's a truly multi-racial crowd, too, with military men, mercenaries and arms dealers from around the globe, including official country delegations from Syria, Turkey, Indonesia, China, Colombia and Israel. There are over a thousand arms companies selling small arms, missiles, planes, tanks, military electronics and warships, as well as surveillance and riot-control equipment at DSEi this year.

At Canning Town tube station my curiosity gets the better of me. 'Excuse me, but are you here for the arms fair?' The man looks at me and hurries along, so I follow. 'Excuse me, are you an arms dealer?' I ask. 'I just want to chat with you about how you can justify your livelihood...'

The next guy is more talkative. 'I work in a legitimate industry, there is nothing illegal about what I do.'

I remind him that, under the 2002 Arms Control Act, it is illegal for UK companies to sell arms to regimes which could use the weapons for either internal repression or external aggression. That's around half the countries attending. Besides, a report by Transparency International has estimated that 'the official arms trade accounts for 50% of all corrupt business transactions'. I also remind him that selling arms is totally immoral.

But don't I agree that the British army should have the most up to date weaponry to defend its citizens from attack?

So I ask him how exactly cluster bombs, found to be on sale at DSEi, ensure a country's self-defence. Cluster bombs scatter small explosive bomblets over a wide area causing indiscriminate casualties and sometimes lie unexploded for years after a conflict has ended. And what about depleted uranium, a toxic heavy metal which causes a wide range of cancers and foetal abnormalities, which pollutes soil, rivers and cities, with effects lasting for hundreds of years. Why is depleted uranium on sale at DSEi?

And why exactly does the South African government need to invest £4.8 billion in new toys for its army when there is massive social deprivation there, and no actual military threat?

And what about the regimes that buy arms and other equipment at DSEi to perpetrate genocide? That can hardly be considered self defence.

He shrugs his shoulders and tells me that he only makes the seats for fighter planes and



Arms traders, DSEi,
Docklands, 9.11.03
(Jill Gibbon)

tanks. He doesn't have anything to do with who buys the final product and how it is used.

I walk at least half a mile with a man in a long Burberry coat who tells me that he is proud to be working in a thriving British industry.

I point out that our arms exports are only a tiny proportion of our total exports, between 2 and 3 percent. Jobs in the arms exports industry account for a mere 0.3 percent of total employment. Meanwhile, the trade is hugely subsidised by taxpayers - both in terms of export guarantees (around 25% of the total Export Credit Guarantees Department's budget) and also in terms of research and development, with around 55% of the Government's research expenditure spent on arms. Taxpayers are also footing the £2 million policing bill for DSEi and around £400,000 to host the delegates. And what about paying the wages of the soldiers who are demonstrating the equipment?

He agrees with me that the 'defence' industry should be able to pay its own way without subsidies, but he can't really justify why, with no good economic reason, the British government so disproportionately supports the arms export industry. 'Its ultimately about prestige', he admits.

We take a break to sit in a cafe. On the other side of the road, we see a group of smartly dressed men hovering at a bus stop. They stop a delegate and open up their briefcases to reveal case-loads of neatly labelled dismembered Barbie doll arms. 'Fancy buying any arms, sir?'. These 'performance activists' get on the first bus, along with ten or more delegates. By the time the bus pulls up in front of the Excel centre, many of the delegates are a bright, shame-coloured pink.

'Excuse me, have you just been to DSEi?'

'I certainly have been to DSEi. And do you know what I do? All I do is manufacture paint!'

'So you'll be telling the people inside who make cluster bombs, for example, how much you disapprove of their products?'

'Don't be so stupid. Get a job!'

It's noticeable how many delegates seem to find comfort in accusing protectors of being unemployed. The fifty-year old man marches off, leaving me thinking that next time I will wear a T-shirt saying 'I have a job. What's yours?'

On the tube on the way home, we find ourselves sitting next to two executives from Raytheon, a US-based company which has seen a 26% rise in its stock prices since 9/11. We wondered whether they had managed to sell any of their famous Patriot missiles which, according to the US General Accounting Office, only had a 9% success rate in intercepting Scud missiles during



Arms traders, DSEi, Docklands, 9.11.03 (Jill Gibbon)

the first Gulf war. They decline to comment.

Arms dealers are people too. By taking the time to engage with them we hoped we could move beyond confrontation and hear their side of the story. Unfortunately, they didn't seem to be able to give one. The next day, Trafalgar Square fountain ran red with symbolic blood, delegates were confronted on their way into the official DSEi dinner, and the mainstream media were finally acknowledging the existence of Europe's largest arms fair. 'It was all right when it was their nasty little secret' one protester pointed out (note for delegates: she was a celebrity yoga teacher). 'But it's out in the open now'.

Art, schmart

The Commodification of Self-Expression

Justin Schamotta

'All art is propaganda,' declared Mexican muralist Diego Rivera. True to his word, when commissioned by Nelson Rockefeller to create a mural for the lobby of the self-glorifying Rockefeller Center in New York, Rivera depicted a 63ft by 17ft workers' rebellion against the cancer of capitalism - represented literally as cancer. As if this wasn't enough, he also felt compelled to add a perfectly rendered portrait of Lenin in the middle of it.

This was in 1933, but such blatant refusal to compromise personal ideals has become increasingly rare as the boundaries between art and business blur. Mainstream political parties implore you to vote using stencilled graffiti. Diesel and Gap create a line in 'protester-chic'. The BBC lifts a spray-painter to advertise the new, revamped Canterbury Tales - the list goes on. So, it is hardly surprising that, for today's young urban artists, the move from expressing their own ideas and feelings to expressing those of money-thirsty corporations is often a small and acceptable one.

'A lot of artists are getting disillusioned with how best to move their careers forward,' says Ben Reed, art director of Spearfish Ltd. 'If you want to get paid then the money has to come from somewhere. You have to meet the brand halfway.' The very thought of graffiti artists considering themselves to have a 'career' is in itself a telling move from the art form's roots.

Spearfish is one of the many new advertising enterprises being set up by members of traditionally anti-corporate sub-cultures. Their attitude is part of the post-ironic 'corporations are here to stay so I might as well engage with them on my own terms - I'm too clever to be sucked in'. They stretch from musicians' collectives playing corporate events through to graffiti artists promoting the likes of Red Bull and Stella Artois.

'The thing with urban art is that it gives everyone a voice,' says Jon from a Manchester-based art collective aiming to 'raise the standard of design in politics and the amount of politics in design'. 'Especially people who have no other means of it being heard. It came from the poorer marginalised communities but now it's being



WEAPON OF MASS DISTRACTION

Anti-war artwork from www.stuffit.org



Anti-war artwork from Wake the World poster archive
www.waketheworld.org/

used to sell them stuff which they can't afford.'

Art as a vessel for hawking a company's products is an old game. The world's first advertising agency was opened in 1841 by the unlikely-sounding Volney B Palmer. Since then all manner of artists have succumbed to the corporate green. 'Advertising is the greatest art form of the twentieth century,' declared Canadian social scientist, Marshall McLuhan, and many still believe him.

In 1931, Coca-Cola commissioned an illustrator by the name of Haddon Sundblom to develop an advertising image to encourage people to drink coke during the winter months (it was until then considered a summer beverage). Inspired by Clement Clark Moore's 1822 poem 'A visit from St. Nicholas,' which describes the toy-maker as 'chubby and plump, a right jolly old elf,' Sundblom created the modern day image of Santa Claus. Ironically, what gave Sundblom's Santa credibility was the mass media's portrayal of it as a part of an ancient folk tradition - a mythical hero unchanged by consumer culture.

And this is still Coca-Cola's, and virtually all other corporation's, strategy - take what's happening at the moment, repackage it and then pretend it's still the same thing. 'I have just completed installing a major canvas (30ft x 9ft) into Coca-Cola's London headquarters,' says graffiti artist, Temper (aka Aaron Bird). Temper has also been paid to 'tag' 50 million cans of Sprite and work for Saatchi & Saatchi Advertising, Airwalk and Allsports. He received around £9,000 for the Coca-Cola job. 'The piece is visible from the street,' he insists, by way of apology.

The irony of graffiti being appreciated as a 'proper' art form by the establishment is sometimes lost. One minute you're a systematic vandal looking at five years inside; the next you're a Soho star celebrated in private drinking clubs around the capital. The upcoming anti-social behaviour law will see graffiti further criminalised,' says Jon, 'but the corporates can pay for space in urban environments which is just chequebook vandalism. On one hand graffiti is unacceptable but when it's used in a safe manner like kid's TV or in adverts it becomes acceptable.'

Corporations don't, of course, like graffiti. They don't like anything. They're corporations. Its interest to them lies squarely in its appeal to a prime retail demographic - white, middle-class

kids. Get those kids to think your brand is cool and you're away. The trouble with this from the artist's point of view is that brands are innately controlling. 'We had commercial commissions from Carling for £1,500 a piece to go up in student's unions,' says Spearfish's Ben. 'Each poster had to incorporate a can of Carling in it somewhere.' And it's always the same. 'When Guinness wanted a commission, they didn't want anything that spoke politically about Ireland,' says Temper. 'That would have been commercial suicide.' The supposedly grassroots Urban Discipline event in Germany features acknowledgements to the sponsors, Eastpak and Carhartt, on each piece of work displayed there.

Even after you've done your work, things can still go awry. Since working with Airwalk, Temper claims that his artwork and designs were modified in-house and re-produced without permission or payment. 'You take a company like Airwalk, with their history and roots in street culture and heritage in skateboarding and it would be hard to understand why they would choose to disrespect these cultures and also their consumers.'

That corporations want input is hardly surprising, after all, they are paying for it. What is surprising is that artists feel obliged to strive for this kind of deal. 'When artists do their work for nothing it's not furthering the art form and it doesn't get taken seriously,' insists Ben rather conveniently forgetting about Van Gogh, say, or Beethoven. 'Damien Hirst and the like get £1 million for a piece. I can't see why we shouldn't get that too.'

One ruinous aspect of this mode of thinking is the corporate boundaries which are invariably set when things are done for money. Those that won't, or can't, reside within these boundaries don't get the money and suddenly find themselves marginalised and dispirited. Spearfish, among others, have reached the end of this murky road. 'It's a struggle to find artists good enough to present to my clients,' muses Ben.

A far bigger worry is the fact that a new generation of artists is unconsciously training itself not to challenge established perceptions but rather to tailor its art to some worthless corporate vision. Jack Napier of the Billboard Liberation Front agrees: 'With increasing frequency they apprentice to the advertisers; no longer needing to falsely maintain the distinction between 'fine' and 'commercial' art. The most successful artists are those who can most successfully sell their art.'

That this is happening at a time when even classics such as Picasso's *Guernica* (which hangs near the entrance of the UN Security Council) are considered offensive enough to be covered to prevent them being used as backdrops during photo-opportunities, is a truly scary situation. As existing art is censored or hoarded away by overzealous collectors and new art rapidly learns to regulate itself for maximum commercial value, we're unwittingly opening ourselves to whatever terrible dreams the advertisers create for us.

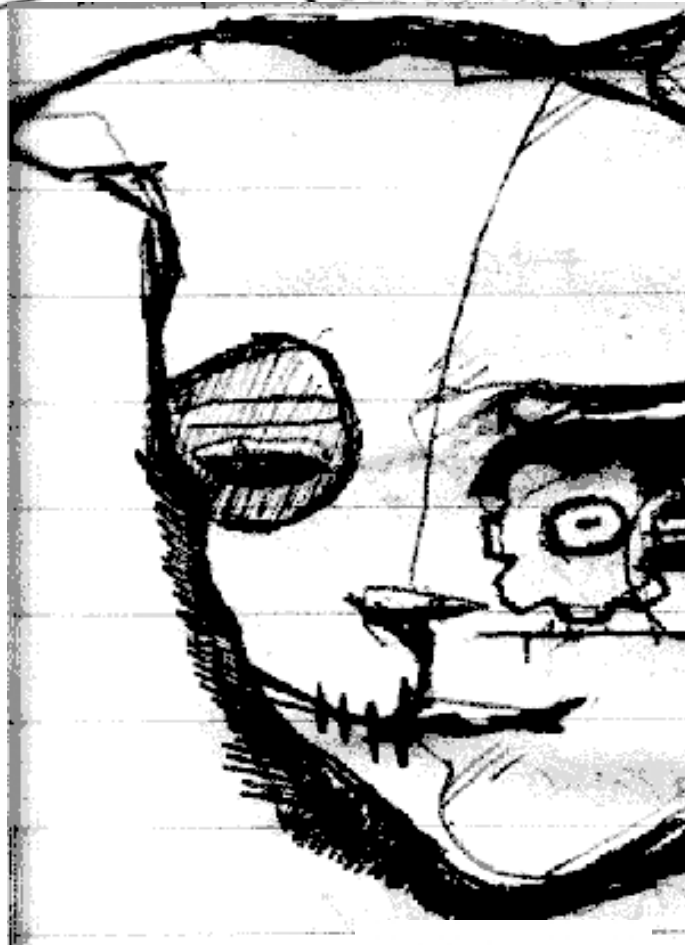
Links

See: www.uhc-collective.org.uk for a range of politicised stickers, stencils, flyposters, subverts and banners.

See: www.randomartists.org Art collective/network who exhibit in squatted spaces in London

See: www.spearfishltd.co.uk to learn corporate-speak.

See: www.billboardliberation.com for tips on reclaiming corporatised outdoor space.



Pieces from the Random Artists collective, top: Bass Man by Ted Talbot, middle: Bea, Dog Boy, bottom: Bea, Baby



Babylonian Times

Babylon hath been a golden cup in the Lord's hand, that made all the earth drunken: the nations have drunken of her wine; therefore the nations are mad. Jeremiah 51:6-8

Dr Fox

A fair and balanced TV company owned by Rupert Murdoch? It seems so. In fact, Fox TV sees itself as the epitome of fairness and balance, which is why its lawyers are currently suing US satirist Al Franken over his new book "Lies and the Lying Liars Who Tell Them: A Fair and Balanced look at the Right". The term "fair and balanced", Fox point out, was registered by it as a trademark in 1998.

Fox, remember, is the company so concerned to be "fair and balanced" that in an investigation into the widespread use of Monsanto's bovine growth hormone (BGH) it twice tried to bribe its documentary team into keeping quiet about the findings. When that failed, Fox fired the two award-winning reporters and buried the story. The reporters refused to accept this fair and balanced approach, and blew the whistle. In 2000 a Florida State court jury unanimously determined that Fox "acted intentionally and deliberately to falsify or distort the plaintiff's news reporting on BGH". A recent appeal by Fox overturned this, and the reporters are now considering an appeal to the Florida State Supreme Court. For more information on the whole fair and balanced case, and more information on a rather disgusting product not (yet) in use in the UK: <http://www.foxbghsuit.com/>.

In the meantime, in a fit of somewhat bitter irony, reporters for another American TV

company have successfully trademarked the phrase "Freedom of Speech"...

Tele-Trouble

A US columnist 'famed for his humorous views on life's foibles' managed to upset an entire corporation – the American Teleservices Association – by giving out their free number and encouraging readers to "tell them what you think" about telemarketing personnel. Responses to Dave Barry's column were in their thousands. After the first flood of calls, the ATA had to switch from answering the phone in person to a recording that asks the caller to leave a message.

The ATA said Barry's prank will be costly because the association must pay for the free calls and for the staff member who spends hours sorting through the recorded messages.

Barry himself was obviously repentant. "I feel just terrible, especially if they were eating or anything" the columnist admitted.

Bank of AbUse

Readers of (some) regional magazines might have noticed reports that over half of the massive £2.5 billion debt run up by UK consumers on storecards is controlled by one company: the American bank GE Capital. Interest rates on their storecards (which include Toys R Us and Mothercare) can be up to 30% higher than on normal credit cards, and GE Capital have found themselves faced with some criticism as a result. Indeed, in the last few weeks they have been called "loan sharks", accused of "highway robbery" and according to George Mudie MP, are "outrageously ripping off customers".

Despite such vitriol, GE Capital remains dignified. It still hopes to "redress certain misplaced allegations"; and adds that storecards are primarily a way of rewarding customers' loyalty. They were not, says the company, designed as a "borrowing tool for larger amounts over the longer term".

So the Office of Fair Trading, currently investigating extortionate interest charges, might be interested in the following

statement on GE Capital's own website: "Private label cardholders shop more often and spend more per purchase than other cardholders...from 24% to 70% more per purchase...Partnering with GE Card Services gets results for your business"...

Quiz from a friend:

Which company name comes to your mind when you hear GM?

Answer = Monsanto

Who was the press spokesman when Tony Blair was first elected?

Answer = David Hill

What was David Hill's next job?

Answer = PR manager for Monsanto

What does David Hill do now?

Answer = Director of Communications at Tony Blair's office and Head of PR for the Labour Party.

Why is the Blair Government proceeding with GM farming?

Answer = (very difficult to answer)

Gardening

Astonishing news from Scotts, the world's leading supplier of consumer products for do-it-yourself lawn and garden care. (Scotts are also involved in the widespread destruction of peat bogs in the UK, use fertilisers which kill fish and pollute waterways, and have been fined for using illegal pesticides)

'Our products play a key role in maintaining a healthy and beautiful environment. Lawns fertilizers help maintain thick, vigorous lawns that absorb rain, control runoff and cool the earth.' (italics by Corporate Watch)

Obviously, before Scotts, everything was just unpleasantly soggy, and rather hot... Which probably explains why Scotts, along with Bayer, Syngenta and others recently felt entitled to set up the 'Evergreen Foundation' to defend the use of pesticides, herbicides, and fertilisers. It seems there are 'coordinated activist efforts to curtail or even eliminate pesticides and fertilisers, severely restrict the use of water...and other efforts detrimental to the green industry' reports Lawn and Landscape magazine. That would be green as in the colour of money, of course. For more information on Scotts, and their interesting take on ecology: www.corporatewatch.org.uk/profiles/scotts/scotts.htm

